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Letter dated 27 March 2018 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

With reference to the trilateral declaration annexed to the joint letter dated 13 February 2018 (A/72/760), I would like to bring to your attention, upon instructions from my Government, the following considerations.

The outer limits of Turkey's continental shelf in the eastern Mediterranean that are west of longitude 32°16'18"E were defined in the Turkish notes verbales No. 2004/Turkuno DT/4739, dated 2 March 2004, and No. 2013/14136816/22273, dated 12 March 2013, as well as in several letters addressed to the Secretary-General which are published on the website of the Division for Ocean Affairs and the Law of the Sea and in the relevant issues of the *Law of the Sea Bulletin*.

In light of the above, the reference to so-called "common maritime boundaries" in the annex to the above-mentioned joint letter is void and unfounded under the terms of international law, including both customary and case law.

I would like to reiterate that Turkey is committed to protecting its ipso facto and ab initio sovereign rights over its continental shelf emanating from international law.

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 77 (a), and published on the website of the Division for Ocean Affairs and the Law of the Sea, as well as in the next *Law of the Sea Bulletin*.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative

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Letter dated 29 March 2018 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 March 2018, addressed to you by the Representative of the Turkish Republic of Northern Cyprus, Mehmet Dânâ (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative

18-05470 (E) 120418

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Annex to the letter dated 29 March 2018 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 2 March 2018, addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (A/72/774-S/2018/176), which yet again contains false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As for the false assertion that notices to airmen are "illegally issued", it must be underlined that activities within the Ercan advisory airspace that require notices to airmen are carried out by the relevant authorities of the Turkish Republic of Northern Cyprus in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claim in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control. Furthermore, I would like to stress that the allegation regarding the interference of radio frequencies is also totally baseless.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all airports and seaports in Northern Cyprus "illegal", is in complete contravention of international law, as well as the call made by the then Secretary-General, Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), in which he clearly stated: "I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development, deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)."

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2017 alone, the number of passengers who used Ercan Airport stood at 3,962,541, and this number is expected to reach 4,200,294 in 2018. Moreover, in 2017, 27,197 aeroplanes used Ercan Airport for arrival and departure and 189,787 aeroplanes used the Ercan advisory airspace, and these numbers are expected to reach 27,469 and 193,583, respectively, in 2018. In that regard, it must also be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety, in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus